

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, a public body politic and corporate, duly organized and existing pursuant to the provisions of the Housing Authority Law of the Commonwealth of Massachusetts (appearing in Massachusetts General Laws (Ter. Ed.) Chapter 121, as amended) and having its principal office in Boston, Suffolk County, Massachusetts, in pursuance of its powers as set out in said Housing Authority Law and every other power thereunto enabling determined that the area or areas hereinafter described within the City of Boston constitute a substandard and decadent area as defined in Section 26J of the Housing Authority Law, and further determined in accordance with Sections 26KK and 26ZZ of said Law and all other powers granted by said Chapter 121 that a project for the assembly and renewal of said area, hereinafter called the "Washington Park Urban Renewal Area," ought to be undertaken in said City; and

WHEREAS, on January 16, 1963, the Redevelopment Authority approved and adopted an Urban Renewal Plan, as defined in said section 121, for the renewal of said area, said plan being entitled, "Washington Park Urban Renewal Plan"; and

WHEREAS, the Authority acting as the Planning Board of said City, the City Council of said City and the State Housing Board have severally approved the said Renewal Plan and project and made appropriate findings in connection therewith, all in accordance with the provisions of law; and

WHEREAS, the City of Boston and said Redevelopment Authority have entered into an agreement, dated March 15, 1963, and entitled, "Cooperation Agreement," providing among other things for a contribution by said City in connection with the carrying out and completion of said Urban Renewal Plan; and

WHEREAS, public hearings on said Urban Renewal Plan and Washington Park Project have been held, after due notice, including public hearings by the said Redevelopment Authority; and

WHEREAS, the Boston Redevelopment Authority, with the written approval of the Mayor of the City of Boston and the State Housing Board, has entered into a Loan and Grant Contract, dated May 1, 1963, with the Housing and Home Finance Agency under Title I of the Housing Act of 1949, as amended, providing for Federal financial assistance in connection with the carrying out and execution of said Urban Renewal Plan; and

WHEREAS, the Redevelopment Authority has determined that the taking in fee simple by eminent domain of said area, as hereinafter described, is necessary and reasonably required to carry out the purposes of the Housing Authority Law and said Urban Renewal Plan; and

WHEREAS, the Redevelopment Authority in accordance with the provisions of Section 26P, subparagraph (b), of said Housing Authority Law has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by General Laws (Ter. Ed.) Chapter 79, Section 40.

NOW, THEREFORE, ORDERED that the Boston Redevelopment Authority, acting under the provisions of the Housing Authority Law and without limiting the generality of the foregoing section 26P, subparagraph (b), of General Laws (Ter. Ed.) Chapter 121,

and all other authority thereunto enabling, and pursuant to the applicable provisions of General Laws (Ter.Ed.) Chapter 79, and of any and every other power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain for the purposes hereinbefore set forth, the area or areas located in the City of Boston as hereinafter described, including all parcels of land therein, together with any and all easements and rights appurtenant thereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee to the center of any and all public streets, highways and public ways, contiguous and adjacent to said area or areas, except any and all easements of travel in and to any and all public streets, highways, and public ways in said area or areas, or contiguous and adjacent thereto, being bounded and described in "Annex A" attached hereto and made a part hereof as though incorporated herein in full and being shown on a plan entitled "Plan of Land in Boston Delivery Parcel G-1B of Washington Park Urban Renewal Area, Project No. Mass. R-24" dated June 7, 1966, drawn by Fay, Spofford & Thorndike, Inc.

AND FURTHER ORDERED that in accordance with the provisions of the General Laws, Chapter 79, Section 6, as amended, awards are made by the BOSTON REDEVELOPMENT AUTHORITY for damages sustained by the owner and all other persons including all mortgagees of record having any and all interest in said parcel described in Annex A and entitled to any damages by reason of the taking hereby made; the word, "Parcel" as herein used being construed to mean any contiguous tract of land in the same ownership, whether or not such tract consists of one or more platted lots or a fractional part thereof. The Boston Redevelopment Authority reserves the right to amend the award or to increase the amount of damages to be paid at any time prior to the payment thereof for good cause shown. The awards hereby made are set forth in Annex B which Annex B is not to be recorded in the Registry of Deeds with this Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this order of taking to be recorded in the office of the Suffolk County Registry of Deeds and registered with the Suffolk Registry District of the Land Court.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the Corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

Dated: September 15, 1966

BOSTON REDEVELOPMENT AUTHORITY

By:

Francis J. Lally  
Stephen E. McCloskey  
James G. Colbert  
FRANCIS J. LALLY  
STEPHEN E. MCCLOSKEY  
JAMES G. COLBERT

George P. Condares  
GEORGE P. CONDAKES

ATTEST:

Kane Dunnigan  
Secretary of the Boston Redevelopment Authority

ANNEX A

A certain parcel of land situate in the "Washington Park Urban Renewal Area" in Boston, Suffolk County, Massachusetts, bounded and described as follows:

So much of the private way known as Kenway Terrace as shown on plan recorded herewith entitled "Plan of Land in Boston, Delivery parcel G-1B of Washington Park Urban Renewal Area, Project No. Mass. R-24" dated June 7, 1966, drawn by Fay, Spofford and Thorndike, Inc., Boston, Mass., as is not owned by the owner of that parcel of registered land abutting said Kenway Terrace, said parcel of registered land and the owner thereof being shown and described on said Plan as "Sophia L. Goldberg, L.C. #10401, Cert. No. 50020".

Supposed Owner

The Supposed Owner of the parcel of land hereby taken is as follows:

Boston Redevelopment Authority

The name of the owner herein listed as supposed owner although supposed to be correct is such only as a matter of information, opinion, and belief and is listed for informational purposes only.

ANNEX B

WASHINGTON PARK URBAN RENEWAL AREA AWARD OF  
DAMAGES

No damages are awarded.